

Amendments to House Bill No. 512  
1st Reading Copy

Requested by Representative John Sinrud

For the House Appropriations Committee

Prepared by Greg Petesch  
March 26, 2007 (10:04am)

1. Title, line 4.

**Strike:** "GENERAL FUND"

2. Title, line 8.

**Following:** "FUNDS;"

**Insert:** "APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR EMERGENCY GRANTS; APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR PRELIMINARY ENGINEERING GRANTS; APPROPRIATING MONEY FROM THE TREASURE STATE ENDOWMENT REGIONAL WATER SYSTEM STATE SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR FINANCIAL ASSISTANCE TO REGIONAL WATER AUTHORITIES FOR REGIONAL WATER PROJECTS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE TREASURE STATE ENDOWMENT STATE SPECIAL REVENUE ACCOUNT; TERMINATING A PRIOR TREASURE STATE ENDOWMENT GRANT; AMENDING SECTION 1, CHAPTER 435, LAWS OF 2001;"

**Strike:** "AN"

**Strike:** "DATE"

**Insert:** "DATES"

3. Page 1, line 12 through page 2, line 27.

**Strike:** section 1 in its entirety

**Insert:** "NEW SECTION. Section 1. Appropriation from treasure state endowment state special revenue account. (1) There is appropriated to the department of commerce \$17,333,653 of the interest earnings from the treasure state endowment state special revenue account to finance grants authorized by this section.

(2) The funds appropriated in this section must be used by the department to make grants to the governmental entities listed in subsection (3) for the described purposes and in amounts not to exceed the amounts set out in subsection (3). The appropriations are subject to the conditions set forth in [sections 2 and 3] and described in the treasure state endowment program 2009 biennium report to the 60th legislature. The legislature, pursuant to 90-6-710, authorizes the grants for the projects listed in subsection (3). The department shall commit funds to projects listed in subsection (3), up to the amounts authorized, based on the manner of disbursement set forth in [section 3] until interest earnings deposited into the treasure

state endowment state special revenue account during the 2009 biennium are expended.

(3) The following applicants and projects are authorized for grants:

Applicant/ProjectGrant Amount

1. Lewis and Clark County for the Woodlawn Addition (water)\$596,420
2. Bainville, Town of (wastewater)715,000
3. Madison County (bridge)370,100
4. Sweet Grass County (bridge)151,493
5. Powell County (bridge)263,074
6. Circle, Town of (wastewater)750,000
7. Harlem, City of (water)750,000
8. Jordan, Town of (wastewater)700,000
9. Thompson Falls, City of (water)363,000
10. Twin Bridges, Town of (wastewater)750,000
11. Seeley Lake-Missoula County Water District (water)750,000
12. Fergus County (bridge)238,362
13. Sunny Meadows-Missoula County Water and Sewer District (water)325,000
14. Tri-County Water District (water)313,500
15. Blaine County (bridge)617,017
16. Loma County Water and Sewer District (water)750,000
17. Ekalaka, Town of (water and wastewater)706,369
18. Stillwater County (bridge)407,500
19. Sheridan, Town of (wastewater)750,000
20. Carter-Chouteau County Water and Sewer District (water)750,000
21. Bigfork County Water and Sewer District (wastewater)750,000
22. Dayton-Lake County Water and Sewer District (wastewater)750,000
23. Judith Basin County (bridge)192,215
24. Pinesdale, Town of (water)750,000
25. Power-Teton County Water and Sewer District (water)604,286
26. Superior, Town of (water)600,000
27. RAE Subdivision County Water and Sewer District No. 313 (water)750,000
28. Jefferson County (bridge)295,800
29. Fort Benton, City of (stormwater)750,000
30. Laurel, City of (wastewater)750,000
31. Yellowstone County (bridge) 97,079
32. Neihart, Town of (water)223,000
33. Three Forks, City of (wastewater)750,000
34. Manhattan, Town of (water)600,000
35. Cut Bank, City of (water)550,000
36. Whitehall, Town of (wastewater)750,000
37. Crow Tribe (wastewater)750,000
38. Big Sandy, Town of (wastewater)750,000
39. Fairfield, Town of (wastewater)750,000
40. Hamilton, City of (wastewater)750,000

41. Gallatin County/Hebgen Lake Estates (wastewater) 750,000
42. Shelby, City of (water) 750,000
43. Whitefish, City of (wastewater) 750,000
44. Panoramic Mountain River Heights (water) 191,500
45. Custer County (bridge) 63,750
46. Brady, Town of (wastewater) 750,000
47. Elk Meadows (water) 410,000
48. Polson, City of (water) 750,000
49. Darby, Town of (water) 750,000
50. Goodan-Keil (water) 532,250
51. Butte-Silver Bow (water) 750,000
52. Columbia Falls, City of (wastewater) 750,000
53. North Valley County (water) 750,000
54. Saltese, Town of (wastewater) 750,000
55. Red Lodge, City of (water) 750,000
56. Black Eagle, Town of (water) 365,000

(4) This section constitutes a valid obligation of funds to the grant recipients listed in subsection (3) for purposes of encumbering the treasure state endowment state special revenue account funds during the 2009 biennium pursuant to 17-7-302. However, a grant recipient's entitlement to receive funds is dependent on the grant recipient's compliance with the conditions described in [section 3(1)] and on the availability of funds.

(5) Funding for projects numbered 1 through 56 in subsection (3) will be provided in the order that applications are received only as long as there are sufficient funds available from the amount that was deposited into the treasure state endowment state special revenue account during the biennium ending June 30, 2009. Funding for these projects will be made available in the order that the grant recipients satisfy the conditions described in [section 3(1)]. Once funds deposited into the treasure state endowment state special revenue account during the biennium are totally committed to projects that have satisfied the conditions described in [section 3(1)], the obligation to any remaining projects will cease.

(6) In the event that any remaining funds deposited into the treasure state endowment state special revenue account during the 2009 biennium are insufficient to fully fund one of the grant recipients listed in subsection (3), the department may make the remaining funds available to the first grant recipient that has satisfied the conditions described in [section 3(1)] and that is able to firmly commit the balance of the amount necessary to fund the project in its entirety."

4. Page 4, line 13.

**Insert: "NEW SECTION. Section 4. Appropriations from treasure state endowment state special revenue account for emergency grants. There is appropriated to the department of commerce \$100,000 for the biennium beginning July 1, 2007, from the interest earnings of the treasure state endowment state**

special revenue account for the purpose of providing local governments, as defined in 90-6-701, with emergency grants for infrastructure projects, as defined in 90-6-701."

**Insert: "NEW SECTION. Section 5. Appropriations from treasure state endowment special revenue account for preliminary engineering grants.** There is appropriated to the department of commerce \$600,000 for the biennium beginning July 1, 2007, from the interest earnings of the treasure state endowment state special revenue account for the purpose of providing local governments, as defined in 90-6-701, with preliminary engineering grants for infrastructure projects, as defined in 90-6-701."

**Insert: "Section 6. Section 1, Chapter 435, Laws of 2001, is amended to read:**

**"Section 1. Appropriations from treasure state endowment special revenue account.** (1) There is appropriated to the department of commerce the interest earnings of the treasure state endowment special revenue account to finance grants authorized by this section.

(2) The funds appropriated in this section must be used by the department to make grants to the governmental entities listed in subsection (3) for the described purposes and in amounts not to exceed the amounts set out in subsection (3). The appropriations are subject to the conditions set forth in [sections 1 through 3] and described in the treasure state endowment program 2003 biennium report to the 57th legislature. The legislature, pursuant to 90-6-710, authorizes the grants for the projects listed in subsection (3). The department shall commit funds to projects listed in subsection (3), up to the amounts authorized, based on the manner of disbursement set forth in [section 3] until interest earnings deposited into the treasure state endowment special revenue account during the 2003 biennium are expended.

(3) The following applicants and projects are authorized for grants in the order of their priority:

Applicant/ProjectGrant

1. Lewis and Clark County (bridge)\$500,000
2. Alder Water and Sewer District, Madison County (wastewater)500,000
3. Hot Springs, Town of (water)500,000
4. Whitewater Water and Sewer District, Phillips County (wastewater)500,000
5. Virginia City, Town of (wastewater)500,000
6. Froid, Town of (wastewater)390,600
7. Nashua, Town of (wastewater)500,000
8. Richland County (bridge)296,500
9. Lavina, Town of (wastewater)483,000
10. Gardiner-Park County Water District, Park County (water)398,500
11. Park City/County Water and Sewer District, Stillwater County (wastewater)500,000

12. Stanford, Town of (wastewater)500,000
13. Florence County Water and Sewer District, Ravalli County (wastewater)500,000
14. Ashland County Water and Sewer District, Rosebud County (wastewater)500,000
15. Geraldine, Town of (water)167,460
16. Manhattan, Town of (wastewater)500,000
17. Lambert County Water and Sewer District, Richland County (water)403,000
18. Browning, Town of (water)500,000
19. Kevin, Town of (wastewater)385,000
20. Power-Teton Co. Water and Sewer District, Teton County (water)425,000
21. Blackfeet Tribe (water)500,000
22. Whitefish, City of (wastewater)500,000
23. Choteau, City of (wastewater)500,000
- ~~24. Lockwood Water and Sewer District, Yellowstone County (wastewater)500,000~~
25. Eureka, Town of (water)369,000
26. Shelby, City of (water)500,000
27. Charlo Sewer District, Lake County (wastewater)500,000
28. Essex Water and Sewer District, Flathead County (water)225,000
29. Yellowstone County (bridge)300,000
30. Hinsdale Water and Sewer District, Valley County (wastewater)329,000
31. Havre, City of (water)500,000
32. Helena, City of (storm drain)500,000
33. Fairfield, Town of (wastewater)500,000
34. Jordan, Town of (water/wastewater)500,000

(4) If sufficient funds are available, this section constitutes a valid obligation of funds to the grant recipients listed in subsection (3) for purposes of encumbering the treasure state endowment special revenue account funds received during the 2003 biennium under 17-7-302. However, a grant recipient's entitlement to receive funds is dependent on the grant recipient's compliance with the conditions described in [section 3(1)] and on the availability of funds.

(5) If funds deposited into the treasure state endowment special revenue account during the biennium ending June 30, 2003, are insufficient to fully fund the projects numbered 1 through 31 in subsection (3) that have satisfied the conditions described in [section 3(1)] by June 30, 2003, these projects will be funded from deposits into the treasure state endowment special revenue account made during the 2005 biennium, before projects authorized by the 58th legislature receive funding from the account. However, any of the projects numbered 1 through 31 listed in subsection (3) that have not completed the conditions described in [section 3(1)] by January 1, 2003, must be reviewed by the next regular session of the legislature to determine if the

authorized grant should be withdrawn.

(6) Projects numbered 32 through 34 listed in subsection (3) that have satisfied the conditions described in [section 3(1)] may not receive grant funds unless sufficient funds have been deposited into the treasure state endowment special revenue account to fully fund the projects numbered 1 through 31 in subsection (3). However, if a subsequent legislature withdraws funding for any of the projects numbered 1 through 31 listed in subsection (3), those funds could be made available to projects numbered 32 through 34 listed in subsection (3) that have completed the conditions described in [section 3(1)].

(7) In the event that any remaining funds deposited into the treasure state endowment special revenue account are insufficient to fully fund one of the grant recipients listed in subsection (3), the department may make the remaining funds from the treasure state endowment special revenue account available to the grant recipient on condition that the grant recipient is able to firmly commit the balance of the amount necessary to fund the project in its entirety."

**Insert: "NEW SECTION. Section 7. Appropriation from treasure state endowment regional water system special revenue account.**

(1) There is appropriated to the department of natural resources and conservation the interest earnings of the treasure state endowment regional water system state special revenue account to finance the state's share of regional water system projects authorized by this section and as set forth in 90-6-715.

(2) The dry prairie rural water authority and the north central Montana regional water authority are authorized to receive funds.

(3) Up to \$6,686,000 is authorized for the 2009 biennium to provide the state's share for regional water system projects.

(4) A regional water authority's receipt of funds is dependent on the authority's compliance with the conditions described in [section 9(1)].

(5) This section constitutes a valid obligation of funds to the regional water authorities listed in subsection (2) for purposes of encumbering the treasure state endowment regional water system state special revenue account funds received during the 2009 biennium under 17-7-302."

**Insert: "NEW SECTION. Section 8. Approval of funds -- completion of appropriation.** (1) The legislature, pursuant to 90-6-715, authorizes funds for the regional water authorities identified in [section 7(2)].

(2) The authorization of these funds completes an appropriation from the treasure state endowment regional water system special revenue account provided for in 17-5-703(4)(d)."

**Insert: "NEW SECTION. Section 9. Conditions -- manner of disbursement of funds.** (1) The disbursement of funds under [sections 7 through 9] is subject to completion of the following conditions:

(a) The regional water authority shall execute an agreement with the department of natural resources and conservation.

(b) The regional water authority must have a project management plan that is approved by the department.

(c) The regional water authority shall establish a financial accounting system that the department can reasonably ensure conforms to generally accepted accounting principles.

(d) The regional water authority shall provide the department with a detailed preliminary engineering report.

(2) The department shall disburse funds on a reimbursement basis as the regional water authority incurs eligible project expenses."

**"NEW SECTION. Section 10. Fund transfer -- use of transferred funds.** (1) The amount of \$2 million is transferred from the state general fund to the treasure state endowment state special revenue account. The funds transferred pursuant to this section must be held in a subaccount to be used for the projects authorized in [section 1] if the appropriations in that section are insufficient to fund all of the enumerated projects. Interest earned on the subaccount must be deposited in the treasure state endowment state special revenue account.

(2) If the funds are needed for the purposes of subsection (1), then the funds are appropriated to the department of commerce for the purpose of funding the authorized projects. Any money remaining in the subaccount at the end of the biennium reverts to the general fund."

**Renumber:** subsequent sections

5. Page 4, line 18.

**Strike:** "date"

**Insert:** "dates"

**Strike:** "[This act]"

**Insert:** "(1) Except as provided in subsection (2), [this act]"

6. Page 4, line 19.

**Insert:** "(2) [Sections 7 through 9 and this section] are effective on passage and approval."

- END -